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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/997,859	11/29/2001	Bruce Allan Makinen	10011248-1	6699

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AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P.O. Box 7599
Loveland, CO 80537-0599

EXAMINER

HAVAN, THU THAO

ART UNIT	PAPER NUMBER
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2672

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DATE MAILED: 02/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/997,859

Applicant(s)

MAKINEN, BRUCE ALLAN

Examiner

Thu-Thao Havan

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Claims **1-35** are pending in the present application.

Response to Arguments

Applicant's arguments filed December 8, 2003 have been fully considered but they are not persuasive. As addressed below, Rosenberg et al. teaches the claimed limitations.

Rosenberg teaches the first and second image objects (col. 2, line 38 to col. 4, line 2). He discloses graphical user interfaces manipulating the objects to change the appearance of the GUI being displayed. The manual tasks of the user to move a cursor displayed on screen by physically manipulating physical user object in order to command the cursor to a desired location or displayed object, can be described as "targeting" activities. "Targets," as referenced herein, are defined regions in the GUI to which a cursor may be moved by the user that are associated with one or more forces and which are typically associated with graphical objects of GUI. Such targets can be associated with, for example, graphical objects such as icons, pull-down menu items, and graphical buttons. A target usually is defined as the exact dimensions of its associated graphical object, and is superimposed and "attached" to its associated graphical object such that the target has a constant spatial position with respect to the graphical object. In the GUI context, "graphical objects" are those images appearing on the display screen which the user may select with a cursor to implement a function of an

application program or operating system, such as displaying images, executing an application program, or performing another computer function (a cursor may also be considered a graphical object.). For simplicity, the term "target" may refer to the entire graphical object with which the target is associated. However, more generally, a target need not follow the exact dimensions of the graphical object associated with the target and can also be a different size and/or shape or may be positioned a distance away from its associated graphical object. The entire screen or background of GUI can also be considered a "target" which may provide forces on user object.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims **1-35** are rejected under 35 U.S.C. 102(e) as being unpatentable by Rosenberg et al. (US patent no. 6,317,116).

Re claim **1**, Rosenberg teaches a method for manipulating a graphical display, the method comprising the steps of providing a graphical user interface comprising a first portion for providing a graphical display, the graphical display comprising a plurality of image objects (col. 4, lines 35-65), receiving a user selection of a first image object in the first portion of the graphical user interface (col. 2, lines 38-44), displaying a target

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area containing the first image object selected (col. 6, line 63 to col. 7, line 8), receiving a user selection of a second image object in the first portion of the graphical user interface and modifying the displayed target area such that the target area contains the first and second image objects (col. 2, line 38 to col. 4, line 2). In other words, Rosenberg teaches one visual environment that is particularly common is a graphical user interface (GUI). GUI's present visual images (i.e. first and second images as claimed) which describe various graphical metaphors for functions of a program or operating system implemented on the computer. Common GUI's include the Windows RTM operating system from Microsoft Corporation, the MacOS operating system from Apple Computer, Inc., and X-Windows for Unix operating systems. These interfaces allows a user to graphically select and manipulate functions of the operating system and application programs by using an input interface device. The user typically moves a user-controlled graphical object, such as a cursor or pointer, across a computer screen and onto other displayed graphical objects or predefined screen regions, and then inputs a command to execute a given selection or operation. The objects or regions ("targets") can include, for example, icons, windows, pull-down menus, buttons, and scroll bars. Most GUI's are currently 2-dimensional as displayed on a computer screen; however, three dimensional (3-D) GUI's that present simulated 3-D environments on a 2-D screen can also be provided.

Re claims **2, 7, 15, 20, and 29**, Rosenberg discloses modifying the displayed target area comprises centering the target area with respect to the first and second image objects selected (col. 14, lines 34-63). In other words, Rosenberg teaches the

GUI context, "graphical objects" are those images appearing on the display screen which the user may select with a cursor to implement a function of an application program or operating system, such as displaying images (i.e. first and second images as claimed), executing an application program, or performing another computer function (a cursor may also be considered a graphical object.).

Re claims **3, 8, 16, 21, and 30**, Rosenberg discloses modifying the displayed target area comprises displaying the target area such that the first and second image objects are contained within the target area and a maximum number of the image objects not selected are contained in the target area (col. 14, line 34 to col. 15, line 7). Rosenberg teaches graphical user interfaces has two distinct actions that are typically required of a user to select a function with the GUI: first, the user must accurately guide the cursor to a desired target using a mouse or other device, and second, the user must press a physical button on the mouse or other device while the cursor is displayed over the target. The user can inadvertently press the button while the cursor is not yet at the target, or after the cursor has just overshoot the target. Or, when a desired command requires the user to guide the cursor over a target and "double-click" the physical button. Also, he teaches the current target acquisition and button press commands is that there is no physical feedback to the user confirming that the selection/command process has been successfully completed. A sound, such as a beep, may be used in some cases to confirm a completed command.

Re claims **4, 12, 17, 25, and 34**, Rosenberg discloses the target area comprises a square (figs. 5a-8).

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Re claims **5,13, 18, 26, and 35**, Rosenberg discloses receiving a user selection of a first image object and the step of receiving a user selection of a second image object is via a cursor manipulated by a mouse (col. 4, lines 44-65). For example, images are displayed and/or modified on a display screen of the computer system in response to such manipulations. The illustrated interface system includes a mouse object as a user manipulable object. Mouse is shaped so that a user's fingers or hand may comfortably grasp the object and move it in the provided degrees of freedom in physical space. For example, a user can move mouse to correspondingly move a computer generated graphical object, such as a cursor or other image, in a graphical environment provided by computer. The available degrees of freedom in which user manipulable object can be moved are determined from the mechanical interface. In addition, mouse preferably includes one or more buttons to allow the user to provide additional commands to the computer system.

Re claims **6, 14, 19, and 27-28**, the limitation of claims 6, 14, 19, and 27-28 are identical to claim 1 above. Therefore, claims 6, 14, 19, and 27-28 are treated with respect to grounds as set forth for claim 1 above.

Re claims **9-11, 22-24, and 31-33**, Rosenberg discloses at least one of the plurality of image objects comprises a family object that specifies a type of solder joint (col. 8, line 56 to col. 9, line 13). In other words, Rosenberg teaches voice coil actuators are positioned on board such that one actuator is provided on portion and the other actuator is provided on another portion. Wire coil of actuator is coupled to portion of board and includes at least two loops of wire etched or otherwise placed onto board,

preferably as a printed circuit board trace. Terminals are coupled to actuator drivers, so that host computer or microprocessor can control the direction and/or magnitude of the current in wire coil. Voice coil actuator also includes a magnet assembly, which preferably includes four magnets and is grounded, where coil is positioned between opposing polarities of the magnet.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu-Thao Havan whose telephone number is (703) 308-7062. The examiner can normally be reached on Monday to Thursday from 9:00-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on (703) 305-4713.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Thu-Thao Havan
February 9, 2004



MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600